

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

ANDREW MILLER,

Defendant.

) Criminal No. 1:24-CR-00211 (AMN)

) Information

) Violation: 18 U.S.C. § 371
) [Conspiracy to Commit an
) Offense Against the United
) States]

) One Count

) Counties of Schenectady & Albany

) Offense:



THE UNITED STATES ATTORNEY CHARGES:

COUNT 1

[Conspiracy to Commit an Offense Against the United States]

Between on or about October 1, 2023 and on or about November 6, 2023, in Schenectady and Albany Counties in the Northern District of New York, and elsewhere, the defendant, **ANDREW MILLER**, and Mufid Fawaz Alkhader, knowingly and willfully conspired and agreed with each other to commit an offense against the United States, to wit, a violation of Title 18, United States Code, Section 922(a)(6).

Object of the Conspiracy

It was a part and an object of the conspiracy that the defendant, **ANDREW MILLER** (“**MILLER**”), and Mufid Fawaz Alkhader (“**Alkhader**”), in connection with the acquisition of a firearm from a licensed dealer, would and did knowingly make false and fictitious oral and written statements intended and likely to deceive such dealer, with respect to facts material to the lawfulness of the sale and disposition of such firearm, in violation of Title 18, United States Code, Section 922(a)(6).

Overt Acts

In furtherance of the conspiracy and to affect the object of the conspiracy, the following overt acts, among others, were committed in the Northern District of New York:

On or about November 5, 2023, **MILLER** and Alkhader drove to a gas station in Clifton Park, New York, where Alkhader withdrew \$500 in cash from an ATM to pay for a firearm and to pay **MILLER** for purchasing the firearm.

On or about November 5, 2023, **MILLER** and Alkhader drove to a Federal Firearms Licensee (FFL) in Albany County, New York, where Alkhader selected a Kel-Tec KS7 12-gauge pump shotgun bearing serial number QLF02 (the “Kel-Tec Shotgun”) to purchase.

On or about November 5, 2023, in connection with the purchase of the Kel-Tec Shotgun, **MILLER** completed and signed a Firearms Transaction Record (ATF Form 4473), and in doing so falsely responded “Yes” to the question, “Are you the actual transferee/buyer of all of the firearm(s) listed on this form and any continuation sheets (ATF Form 5300.9A)?” even though Alkhader was the actual buyer of the firearm.

On or about November 6, 2023, **MILLER** and Alkhader returned to the FFL and retrieved the Kel-Tec Shotgun.

On or about November 6, 2023, **MILLER** and Alkhader drove to **MILLER**’s residence in Schenectady, New York, where **MILLER** gave Alkhader the Kel-Tec Shotgun and a duffle bag to conceal the Kel-Tec Shotgun.

All in violation of Title 18, United States Code, Section 371.

Dated: March 18, 2024

CARLA B. FREEDMAN
United States Attorney

By: /s/ Richard Belliss & Alexander Wentworth
Ping

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